

Application No. 10/589,062
Reply to Office Action of March 1, 2010

AMENDMENTS TO THE DRAWINGS

Please replace drawing Sheet 1 of 3 and Sheet 2 of 3 with respective replacement drawing Sheets 1 of 3 and 2 of 3. Figs. 3 and 6 have been amended to each include an omitted reference number.

REMARKS

1. Claims 1 and 15-20 are currently pending in the application, as amended. Claims 2-14 have been withdrawn as being directed to an unelected invention. Claims 1 and 15-19 have been amended. New claim 20 has been added. Support for the amendments to the claims can be found throughout the specification and drawings including paragraphs [0019]-[0030] and Figs. 2, 6, 8a and 8b. The specification has been amended to correct typographical errors. Figs. 3 and 6 have been amended to include omitted reference numbers 11 and 24 respectively. No new matter has been added.

All amendments presented herein are made solely to expedite prosecution of the application without admission as to the propriety of the rejections set forth in the present Office Action and without acquiescence to the Examiner's characterization of the claims or cited references. Applicant respectfully reserves the right to include claims of the same or different scope as previously written in one or more continuing applications. Applicant also reserves the right to bring back withdrawn claims 2-14 if a generic claim is allowed and/or pursue original claims 2-14 in one or more divisional applications.

Objection to the Specification

2. The Examiner has objected to the specification based on formalities. Specifically, the Examiner has noted that reference characters "2" and "3" have each been used to reference similar elements. The specification has been amended to correct the typographical errors. In view of the amendment to the specification, Applicant respectfully requests that the objection be withdrawn.

Claim Rejections 35 U.S.C. § 112

3. The Examiner has rejected claims 15-19 under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 15-19 have been amended. In view of the amendments to the claims, Applicant respectfully requests that the rejection of the claims under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

Claim Rejections – 35 U.S.C. § 102

4. The Examiner has rejected claims 1 and 15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,151,749 to Long (“Long”). Claims 1 and 15 have been amended without admission as to the propriety of the rejection and without acquiescence to the Examiner’s characterization of the claims or cited reference. Applicant respectfully traverses the rejection as follows.

Applicant respectfully submits that Long does not disclose or suggest each and every element of amended independent claim 1. For example, Long does not disclose or suggest a device for dosing bulk material including an agitator having an axle perpendicular to the drive axle of the dosing means, and a drive unit having a housing, the housing accommodating a drive motor and a transmission means, the dosing module being detachable and reconnectable with the housing, the drive motor and the transmission means configured to drive the drive axle of the dosing means and the axle of the agitator when the dosing module is connected with the housing, the dosing unit forming a replaceable unit which can be detached and reconnected to the drive unit as claimed. Accordingly, Long fails to disclose each and every element of claim 1 of the present application.

Claim 15 depends on claim 1 and is patentable over Long for at least the same reason discussed above. Based upon the above, Applicant respectfully requests that the Examiner reconsider and withdraw any rejection of claims 1 and 15 based upon anticipation by Long.

5. The Examiner has rejected claims 1 and 15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,599,809 to Parkes (“Parkes”). Claims 1 and 15 have been amended without admission as to the propriety of the rejection and without acquiescence to the Examiner’s characterization of the claims or cited reference. Applicant respectfully traverses the rejection as follows.

Applicant respectfully submits that Parkes does not disclose or suggest each and every element of amended independent claim 1. For example, Parkes does not disclose or suggest a device for dosing bulk material including an agitator having an axle perpendicular to the drive axle of the dosing means, and a drive unit having a housing, the housing accommodating a drive motor and a transmission means, the dosing module being detachable and reconnectable with the

Application No. 10/589,062
Reply to Office Action of March 1, 2010

housing, the drive motor and the transmission means configured to drive the drive axle of the dosing means and the axle of the agitator when the dosing module is connected with the housing, the dosing unit forming a replaceable unit which can be detached and reconnected to the drive unit as claimed. Accordingly, Parkes fails to disclose each and every element of claim 1 of the present application.

Claim 15 depends on claim 1 and is patentable over Parkes for at least the same reason discussed above. Based upon the above, Applicant respectfully requests that the Examiner reconsider and withdraw any rejection of claims 1 and 15 based upon anticipation by Parkes.

Claim Rejections – 35 U.S.C. § 103

6. The Examiner has rejected claims 16-19 under 35 U.S.C. § 103(a) as being unpatentable over Parkes in view of U.S. Patent No. 4,029,219 to Rutten (“Rutten”). Claims 16-19 depend from claim 1 and are patentable over Parkes in view of Rutten for at least the same reason discussed above for the patentability of claim 1 over Parkes. Rutten does not make up for the above noted deficiencies of Parkes. Accordingly, Applicant respectfully requests that the rejection of claims 16-19 be reconsidered and withdrawn.

CONCLUSION

7. In view of the foregoing Amendment and remarks, Applicant respectfully submits that the present application, including claims 1 and 15-20, as amended, is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

Date: July 1, 2010

By: /John L. Hemmer/
JOHN L. HEMMER
Registration No. 58,752
KENNETH J. DAVIS
Registration No. 50,688
Attorneys for Applicant

MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Direct Dial: (215) 963-4816
Facsimile: (215) 963-5001
Customer No. 28977